

O

JS - 6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DWAYNE SCOTT, CAROL C.
SCOTT,

Plaintiffs,

v.

BANK OF AMERICA N.A., a
National Association;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
a Delaware corporation;
WELLS FARGO BANK, NA, dba
AMERICA'S SERVICING COMPANY,
a National Association, et
al.,

Defendants.

Case No. CV 12-05389 DDP (JCGx)

**ORDER GRANTING DEFENDANTS' MOTION
TO DISMISS**

[Dkt. No. 9]

Presently before the court is Defendants' Bank of America's Motion to Dismiss. Because Plaintiffs have not filed an opposition, the court GRANTS the motion.

Central District of California Local Rule 7-9 requires an opposing party to file an opposition to any motion at least twenty-one (21) days prior to the date designated for hearing the motion. C.D. CAL. L.R. 7-9. Additionally, Local Rule 7-12 provides that

1 "[t]he failure to file any required document, or the failure to
2 file it within the deadline, may be deemed consent to the granting
3 or denial of the motion." C.D. CAL. L.R. 7-12.

4 The hearing on Defendants' motion was set for October 1, 2012.
5 Plaintiffs' opposition was therefore due by September 10, 2012. As
6 of the date of this Order, Plaintiffs have not filed an opposition,
7 or any other filing that could be construed as a request for a
8 continuance. Accordingly, the court deems Plaintiffs' failure to
9 oppose as consent to granting the motion to dismiss, and GRANTS the
10 motion.

11
12
13 IT IS SO ORDERED.

14
15
16 Dated: September 27, 2012


DEAN D. PREGERSON
United States District Judge